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EXAMINER

WYROZEBSKI LEE, KATARZYNA I

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1796

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Attachment to the Advisory

In the proposed amendment filed 2/5/2008 the applicants have amendment limitation of a "at least one flame retardant component consisting essentially of an ammonium polyphosphate" to "a flame retardant component consisting of ammonium polyphosphate" with respect to ammonium polyphosphate only.

After reading applicants arguments the examiner is not clear if applicants are arguing currently proposed amendment or one that was proposed on 8/07/07. Specifically, applicants argue use of term "consisting essentially of" whereas the proposed amendment contains limitation of "consisting of". Therefore there is really no argument that the examiner can respond to and all responses as stated in advisory action dated 1/18/08 are incorporated here by reference.

Since the language of the overall claim is "comprising", there is nothing preventing one of ordinary skill in the art to add component D, E.... and H and so on, wherein, any of the additional components can also be flame retardant consisting of some other compound.

The above proposed amendment is therefore not entered, and all rejections of record are incorporated here by reference. In order to overcome the rejections of record the applicants should amend the open language of independent claim, which currently reads "comprising".

Art Unit: 1796

Currently it is not clear as to what type of flame retardant if any would be excluded by the instant claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katarzyna Wyrozebski whose telephone number is (571) 272-1127. The examiner can normally be reached on Mon-Thurs 8:30 AM-2:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Katarzyna Wyrozebski/
Primary Examiner, Art Unit 1796
February 13, 2008